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7 *Co-Lead/Liaison Counsel for Plaintiffs*

8 UNITED STATES DISTRICT COURT

9 DISTRICT OF ARIZONA

10 IN RE: BARD IVC FILTERS PRODUCTS
11 LIABILITY LITIGATION

No. MD-15-02641-PHX-DGC

**PLAINTIFFS' UNOPPOSED
MOTION TO FILE EXHIBITS
UNDER SEAL IN SUPPORT OF
PLAINTIFFS' OPPOSITION TO
DEFENDANTS' MOTION TO
DISQUALIFY THOMAS KINNEY,
M.D. AS AN EXPERT FOR
PLAINTIFFS**

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17 Plaintiffs move this Court for an Order pursuant to the Stipulated Protective Order
18 (Doc. 269), Federal Rule of Civil Procedure 26(c)(1)(G), and Local Civil Rule 5.6, sealing
19 certain exhibits accompanying Plaintiffs' Opposition to Defendants' Motion to Disqualify
20 Thomas Kinney, M.D. as an Expert for Plaintiffs ("Motion"). The exhibits that are the
21 subject of this Motion are alleged by Bard to constitute trade secrets or other confidential
22 research, development, or commercial information and have been designated by Bard as
23 such pursuant to the Stipulated Protective Order, thereby warranting protection from
24 public disclosure for discovery related motion.

25 Plaintiffs seek leave to file these exhibits under seal based on Bard's designation of
26 them as confidential pursuant to the Stipulated Protective Order; Plaintiffs explicitly
27 reserve their rights to challenge the confidentiality designations of the documents at a later
28 time, pursuant to the terms in the Stipulated Protective Order. Based on Bard's

1 designation of the documents as confidential, Plaintiffs may only submit them to this
2 Court under seal. Bard does not oppose this Motion.

3 The documents that are the subject of this Motion are described in Exhibit A.

4 For the foregoing reasons, and in order that Plaintiffs can fully brief the issues in
5 the Motion while complying with the terms of various protective orders, the Court should
6 grant Plaintiffs' leave to file these exhibits under seal.

7 RESPECTFULLY SUBMITTED this 10th day of May 2017.

8 GALLAGHER & KENNEDY, P.A.

9 By: /s/ Mark S. O'Connor
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17 **CERTIFICATE OF SERVICE**

18 I hereby certify that on this 10th day of May, 2017, I electronically transmitted the
19 attached document to the Clerk's Office using the CM/ECF System for filing and
20 transmittal of a Notice of Electronic Filing.

21 /s/ Deborah Yanazzo

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